

EXHIBIT G

DEPOSITION OF OFFICER DANIEL HOPWOOD

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MARIA QUINTO-COLLINS, et al.,)	
)	CERTIFIED COPY
Plaintiffs,)	
)	
vs.)	CASE NO.: 3:21-cv-06094-VC
)	
CITY OF ANTIOCH, et al.,)	
)	
Defendants.)	
_____)	CERTIFIED COPY

DEPOSITION OF OFFICER DANIEL HOPWOOD

WEDNESDAY, APRIL 19, 2023

1:32 P.M. - 3:30 P.M.

REPORTED BY: KYLE RIDENOUR, RPR, CSR No. 14473

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1 BY MR. NISENBAUM:

2 Q Okay.

3 What type of medical aid do you give them?

4 A Unconscious, CPR.

5 Q Okay.

6 Well, that's if the heart has stopped beating;
7 right?

8 A Correct.

9 Q Okay.

10 If they're -- if they go unconscious and their
11 heart's still beating --

12 A Check for a pulse, clear the airway, check for
13 shock, try to wake them up.

14 Q Okay.

15 And do you want to get them in a position of
16 recovery?

17 A Yes.

18 Q Okay.

19 And the position of recovery is on your side?

20 A It can be, yes.

21 Q Okay.

22 Well, what else can it be?

23 A I guess it is on your side.

24 Q Okay. All right.

25 A The one we're trained is on your side with the

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1 leg up.

2 Q Right.

3 And the reason -- there are a lot of reasons
4 for that. But one of them is that it gives you a clear
5 airway, and if the person throws up or vomits, then it
6 will come out, and it will be less -- there will be less
7 aspiration into the lungs; correct?

8 A Correct.

9 Q Okay.

10 And you're supposed to monitor people that
11 you're restraining; correct?

12 A That's correct.

13 Q And how are you supposed to do that? What are
14 you supposed to do to monitor them?

15 MR. BLECHMAN: Incomplete hypothetical as
16 phrased.

17 Go ahead.

18 THE WITNESS: There's a couple of ways to do
19 it. Visually, breathing, up and down of the chest.
20 Verbally. The subject's movements. That's pretty much
21 all I can think of right now.

22 BY MR. NISENBAUM:

23 Q Okay.

24 You say "visually," if the subject's
25 breathing?

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1 A Yes.

2 Q Okay.

3 So you wouldn't go in without considering
4 those factors; correct?

5 A Correct.

6 Q All right.

7 Did you respond lights and siren?

8 A No, I did not.

9 Q Okay.

10 Is there a type of response that you
11 responded? Code 2?

12 A Code 2 doesn't really exist for our standards.

13 Q All right.

14 A Just get there as fast as you can in the legal
15 limits of the city.

16 Q All right.

17 So you did that?

18 A Correct.

19 Q And you arrived about the same time as
20 Officer Shipilov?

21 A I did.

22 Q Okay.

23 I have a question. I don't know if you know
24 the answer to this.

25 But you've been an Antioch Police officer for

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1 got him in a figure four leg lock.

2 Q Okay.

3 And what was Officer Becerra's position
4 relative to Mr. Quinto?

5 A So he was at the shoulder. He was at Quinto's
6 left shoulder, kneeled down. I'm not 100 percent sure
7 if he had his weight on Mr. Quinto -- Quinto at the
8 time.

9 Q Okay.

10 You actually saw him on his left-side
11 shoulder, correct, with his -- what you thought was his
12 knee on his left-side shoulder; correct?

13 MR. BLECHMAN: Vague and ambiguous. May
14 misstate prior statements or testimony.

15 But you can respond.

16 THE WITNESS: That is what I said in my first
17 interview. But thinking back now, I can't 100 percent
18 be certain.

19 BY MR. NISENBAUM:

20 Q Well, your first interview, the events were
21 fresh in your mind; right?

22 A I believe so, yes.

23 Q Okay.

24 I'm going to play that. And this is --

25 MR. NISENBAUM: And I may want you to

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1 transcribe it. Let me just take a look.

2 This is 9:59 to 10:29. I'll start it at 9:57
3 because that's where my cursor goes.

4 (Media played.)

5 "A -- lying face down on the ground
6 handcuffed and had his feet in a figure
7 four leg lock by another officer.

8 "Q Do you recall who that was?

9 "A Yes. Officer Perkinson was on the
10 feet of the figure four leg lock. And
11 then Officer Becerra was on the subject's
12 left-side shoulder.

13 "Q Okay."

14 MR. NISENBAUM: Pausing that at 10:22.

15 BY MR. NISENBAUM:

16 Q You said, "Officer Becerra was on the
17 subject's left-side shoulder"; correct?

18 A I did in that interview, yes.

19 Q Okay.

20 And that's what you recall; correct?

21 MR. BLECHMAN: Vague and ambiguous as to
22 "that."

23 BY MR. NISENBAUM:

24 Q You recall -- you recall seeing
25 Officer Becerra with a knee -- one knee on the ground

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1 and one knee on Mr. Quinto's left-side shoulder;
2 correct?

3 MR. BLECHMAN: May misstate the witness's
4 prior statement.

5 You can respond.

6 THE WITNESS: Like I told you at the beginning
7 of this interview, I'm not 100 percent sure. But he was
8 at that shoulder. And the way they were positioning, I
9 thought he was -- had his knee on him.

10 BY MR. NISENBAUM:

11 Q Okay.

12 A Okay.

13 Q Okay.

14 To be clear, you believed at that time that
15 Officer -- that Officer Becerra's -- was that his left
16 knee was on Mr. Quinto's left shoulder?

17 A I can't recall.

18 Q Okay.

19 But one knee -- you thought one knee was on
20 the ground and one knee was on Mr. Quinto's left
21 shoulder; correct?

22 MR. BLECHMAN: May misstate the witness's
23 testimony. Asked and answered.

24 But go ahead.

25 THE WITNESS: Like I said before at the

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1 Q Okay.

2 He was in a position where -- he was in a
3 position to be having his weight on him; correct?

4 MR. BLECHMAN: Vague and ambiguous as to "his
5 weight."

6 But you can respond.

7 THE WITNESS: True.

8 BY MR. NISENBAUM:

9 Q Well, I'm talking about Officer Becerra's
10 weight.

11 A True.

12 MR. BLECHMAN: That's my objection. Yeah.

13 BY MR. NISENBAUM:

14 Q Okay.

15 And, of course, you didn't have a device to
16 measure how much pressure was being applied, if any;
17 correct?

18 A That is correct.

19 Q But it looked to you at the time there was
20 physical contact between the knee -- the left knee and
21 Mr. Quinto's left shoulder; correct?

22 A From my perspective, yes.

23 Q Okay.

24 And how long did you observe that Officer
25 Becerra was in that position?

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1 A Roughly 30 seconds.

2 Q Okay.

3 And you weren't timing it; right?

4 A I was not timing it.

5 Q And what happened -- what happened next?

6 A I moved some boxes from the hallway.

7 Officer Perkinson asked if someone could switch out with
8 him so he could do the 5150 evaluation form. I answered
9 up and said I'll switch out with him.

10 Q Okay.

11 Now, switching out with Officer Perkinson
12 would mean at that time that Perkinson was at the legs;
13 correct?

14 A Correct.

15 Q So if you switched out directly with
16 Perkinson, you would have gone to the legs; correct?

17 A Correct.

18 Q Okay.

19 But that's not what happened?

20 A Correct.

21 Q So explain what happened and why.

22 A Okay. So the room is kind of confined; so
23 Perkinson decides to switch with Officer Becerra cause
24 it's easier. So they do that as I take over a position
25 on Quinto's left shoulder.

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1 Q Okay.

2 And you did have your knee on Mr. Quinto's
3 left shoulder; correct?

4 A I did.

5 Q And that was on the back of his left shoulder
6 on the shoulder blade; correct?

7 A Correct.

8 Q And which knee did you have on him?

9 A It was my left.

10 Q Okay.

11 And you held that position there for
12 approximately 20 to 30 seconds by pure estimation;
13 correct?

14 A Correct.

15 Q Okay.

16 Now, it's true that the last time that you saw
17 Mr. Quinto's chest rise and fall as if he were breathing
18 was about two minutes before Mr. Quinto was rolled over;
19 correct?

20 A I believe so, yes.

21 Q Okay.

22 Were you keeping an eye on him?

23 A Me and Becerra were.

24 Q Okay.

25 So two minutes seems like a long time, right,

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1 A All right. So when I first took the position
2 on his left shoulder blade, I stayed there approximately
3 20 to 30 seconds cause I didn't really know the scope of
4 the situation, if he was actually fighting or not.
5 Obviously he's a guy having a mental crisis. We've
6 already got an ambulance on the way.

7 So I realize he's not pushing up. He's still
8 screaming, not squirming too much. So I go into a
9 catcher stance, which is my left -- both of my feet are
10 pinned on the ground, and my knees are up. My left knee
11 is over his shoulder blade, not putting any pressure on
12 it. I probably hold that for 30 seconds because that
13 gets tiring real quick. And then I go to two knees on
14 the ground.

15 Q Okay.

16 And how long -- what period of time was that,
17 though, is my question. Before you stood up, I want the
18 scope of time, including the time that your knee was on
19 him, where you were next to him at his shoulder before
20 you stood up and no longer had a view of him?

21 MR. BLECHMAN: So just so it's clear, at the
22 point in time where he first makes physical contact to
23 the time when he stands up? Is that how you want to do
24 it?

25 ///

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1 BY MR. NISENBAUM:

2 Q Well, the point in time when you first made
3 physical contact with Mr. Quinto was when your knee
4 began to be on the back of his left shoulder; correct?

5 A Correct.

6 Q Okay.

7 So from that point in time to when you stood
8 up.

9 A After reviewing the videos, I've learned that
10 it's longer than my estimated three minutes. So
11 anywhere from approximately four to five minutes.

12 MR. BLECHMAN: So from the time you first put
13 your knee on him to the time you stood up is four to
14 five minutes? Is that what you're saying?

15 MR. NISENBAUM: That is what he's saying.

16 MR. BLECHMAN: I want to make sure you
17 understood his question.

18 MR. NISENBAUM: Well, now that sounds like
19 coaching.

20 BY MR. NISENBAUM:

21 Q Do you understand?

22 A 30 minutes to -- sorry. Not 30 minutes. 20
23 to 30 seconds on the shoulder. And then I was in the
24 catcher position for approximately another 30 seconds.
25 Then I told him, "I'm going to just put my knees down."

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1 I put my knees down. And I probably stayed there for
2 another minute or two. And we were talking to Mom. And
3 then I stood up.

4 Q Okay.

5 So -- and that's how you get the four to
6 five minutes; correct?

7 A Sorry. Was I saying minutes?

8 Q Four to five.

9 A Oh, minutes. Correct.

10 Q Between four to five minutes, to be clear.

11 A Correct.

12 Q Okay. All right.

13 And when you first contacted Mr. Quinto,
14 was -- were his shoulders moving? What was he doing?

15 A I believe he was squirming a little bit to the
16 left and right.

17 Q Okay.

18 And he was still yelling; is that right?

19 A That is correct.

20 Q Okay.

21 And he began calming down at some point;
22 correct?

23 A That's correct.

24 Q And quieting down; correct?

25 A I was telling him, "Calm down. It's going to

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1 A That's correct.

2 Q And you know that CPR is only given to people
3 who don't have a heartbeat; correct?

4 A Correct.

5 Q Okay.

6 So you knew certainly then that his heart had
7 stopped at some point; correct?

8 A When I rolled him over, that's when I first
9 noticed.

10 Q Okay.

11 So when you rolled him over, you first noticed
12 that his heart stopped.

13 Are you the voice on there that says, "We
14 gotta get him out of here"?

15 A Absolutely.

16 Q That's you?

17 A That's me.

18 Q Okay.

19 And that was -- why did you say that?

20 A Cause AMR was already coming down the hallway.
21 And so I'm preparing to roll him over. And I see the
22 blood immediately. I tell Becerra, "We gotta get him
23 out of here." He does the sternum rub. AMR's already
24 at the threshold of the door. And they start getting a
25 bag out.

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1 A It wasn't obvious until I rolled him over.
2 Sorry.

3 Q Okay.

4 Was she closer to Angelo or were you when you
5 rolled Angelo over?

6 MR. BLECHMAN: Vague and ambiguous.

7 But go ahead.

8 THE WITNESS: She was at the end of the bed
9 kind of like parallel with me.

10 BY MR. NISENBAUM:

11 Q All right.

12 And you say that you said, "We gotta get him
13 out of here" because you had rolled him over and seen
14 blood; correct?

15 A Correct.

16 Q Okay.

17 How many times did you roll him over?

18 A Initially rolled him over and was shocked. I
19 said, "We gotta get him out of here." He's still
20 handcuffed. And then I think Becerra comes over and
21 sternum rubs him.

22 Q Okay.

23 So you saw the sternum rub; correct?

24 A Yes.

25 Q Okay. All right.

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1 And that's something else that wasn't
2 testified to at the inquest or your initial interview
3 either; correct?

4 A That is correct.

5 Q Okay.

6 MR. BLECHMAN: Hold on.

7 Belated objection. Argumentative. And vague
8 and ambiguous as to "that."

9 BY MR. NISENBAUM:

10 Q The fact that it was Becerra who did the
11 sternum rub on Angelo before the paramedics even came in
12 the room.

13 Correct?

14 MR. BLECHMAN: Calls for speculation as to
15 where the paramedics were when the sternum rub occurs.

16 But you can respond.

17 THE WITNESS: I mean, the paramedics were
18 3 feet, 2 feet away from us when he does the sternum
19 rub.

20 BY MR. NISENBAUM:

21 Q My question, though, was: Were they in the
22 room?

23 A They were not in the room because there wasn't
24 enough room in the room.

25 Q Okay.

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1 Go ahead.

2 THE WITNESS: I would say possibly, yes.

3 BY MR. NISENBAUM:

4 Q Okay.

5 You understand my question? I'm talking about
6 the time frame from when you -- well, strike that.

7 After Mr. Quinto calmed down, you believe that
8 his heart was still beating; correct?

9 A Correct.

10 Q Okay.

11 After Mr. Quinto calmed down, that's when you
12 stood up; correct?

13 A I believe I stood up closer to when
14 Officer Shipilov came on the radio and said AMR was
15 arriving on scene.

16 Q Okay.

17 How long was it between when Mr. Quinto calmed
18 down to when that communication was made?

19 A I thought we kind of got into this already.

20 Q Yeah.

21 MR. BLECHMAN: Can you restate the question?
22 Sorry.

23 (The record was read.)

24 MR. NISENBAUM: That's okay.

25 ///

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1 BY MR. NISENBAUM:

2 Q That's that four- to five-minute window we
3 talked about?

4 A I believe so.

5 Q Got it. All right.

6 So you stood up -- so just cause it's late in
7 the day and I don't have the transcript in front of me,
8 you stood up after the communication was made that AMR
9 had arrived by Shipilov; right?

10 A I believe so, yes.

11 Q Okay.

12 And it was a four- to five-minute window to
13 when paramedics actually came in? Or was it the other
14 way? It was when you -- when he calmed down to when
15 Shipilov made that communication?

16 A I believe it was the other way.

17 Q Okay.

18 So four- to five-minute window from when
19 Shipilov made that communication -- I'm sorry -- to when
20 he calmed down to when Shipilov made the communication.

21 You were standing up when he made the
22 communication or no?

23 MR. BLECHMAN: Misstates the witness's
24 testimony.

25 MR. NISENBAUM: I'm sorry.

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CERTIFICATE OF STENOGRAPHIC REPORTER

I certify that the witness in the foregoing deposition, DANIEL HOPWOOD, was by me duly sworn in to testify in the within-entitled cause; that said deposition was taken at the time therein named; that the testimony of said witness was stenographically reported by me, a duly Certified Shorthand Reporter of the State of California authorized to administer oaths and affirmations, and said testimony was thereafter transcribed into typewriting to the best of my ability via remote teleconferencing.

I further certify that I am not of counsel or attorney for either or any of the parties to said deposition, nor in any way interested in the outcome of the cause named in said deposition.

The dismantling, unsealing, or unbinding of the original transcript will render the Reporter's Certificate null and void.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of May, 2023.

_____/s/Kyle Ridenour_____
KYLE RIDENOUR, RPR
Certified Shorthand Reporter
Certification No. 14473